

JOHN R. DANOS (CA SBN 210964)
john.danos@aporter.com
TIFFANY M. IKEDA (CA SBN 280083)
tiffany.ikeda@aporter.com
ARNOLD & PORTER LLP
777 South Figueroa, 44th Floor
Los Angeles, CA 90017-5844
Telephone: 1.213.243.4000
Facsimile: 1.213.243.4999

Attorneys for Defendant
Aurora Loan Services, LLC
[Additional counsel on signature page]

STEVE W. BERMAN (Pro Hac Vice)
THOMAS E. LOESER (CA SBN 202724)
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: 1.206.623.7292
Facsimile: 1.206.623.0594
steve@hbsslaw.com
toml@hbsslaw.com

Attorneys for Plaintiffs and the Class
[Additional counsel on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MAUDER and ALICE CHAO;)	CONSOLIDATED CASE NO.
DEOGENESO and GLORINA PALUGOD;)	CV-10-3118-SBA
AND)	
MARITZA PINEL)	JOINT STIPULATION AND REQUEST
on behalf of themselves and all others similarly)	FOR A STAY PENDING CLASS
situated,)	CERTIFICATION RULING
)	
Plaintiff(s),)	Hon. Sandra B. Armstrong
)	Hon. Laurel Beeler
v.)	
AURORA LOAN SERVICES, LLC,)	
Defendant(s).)	

1 Plaintiffs Mauder and Alice Chao, Deogeneso and Glorina Palugod, and Maritza Pinel
2 (collectively, "Plaintiffs") and defendant Aurora Loan Services, LLC ("Aurora") (collectively, the
3 "Parties") hereby stipulate and agree, and request the Court to Order, as follows.

4 **I. BACKGROUND**

5 This putative class action concerns Aurora's mortgage loan "workout agreements," also
6 known as "special forbearance agreements." The Parties incorporate by reference their respective
7 factual statements of the case from the Parties' prior Consolidated Joint Case Management
8 Statement (Doc. # 59), and Joint Stipulation to Modify the Pre-Trial Schedule. Doc. #186.

9 Plaintiffs' Renewed Motion for Class Certification (Doc. # 149) is fully briefed and remains
10 pending. The hearing on the Motion, originally scheduled for February 12, 2013, was taken off
11 calendar by the Court.

12 A mandatory settlement conference is scheduled to take place on May 21, 2013 before
13 Magistrate Judge Nathanael Cousins, and the parties must file settlement statements by May 14,
14 2013. Doc. # 195.

15 Under the current pre-trial schedule, fact discovery is scheduled to close on July 26, 2013.
16 Doc. # 193. Approximately ninety (90) days remain in the fact discovery period as of the filing of
17 this stipulation.

18 The Parties agree that the forthcoming ruling on the Renewed Motion for Class Certification
19 will have significant implications on (a) any settlement conference or mediation, and (b) the
20 remaining fact and expert discovery to be taken in the case, in particular deposition discovery. The
21 Parties are thus in agreement that postponing the settlement conference and staying deposition
22 discovery until after the Court issues its ruling on class certification is both cost-effective and in the
23 interests of judicial efficiency.

24 For clarity, the Parties do not seek to stay their ongoing written discovery and do not seek to
25 stay their ability to advance ongoing discovery disputes before Judge Beeler (which particularly
26 includes the Court's ability to order a Rule 30(b)(6) deposition). The Parties specifically envision
27 that the ninety (90) days currently remaining in the fact discovery period will be preserved and
28

maintained such that the fact discovery cut-off shall be set for at least ninety (90) days from the date that any such stay is lifted.

Accordingly, the Parties request the Court to Order as follows:

1. The current pre-trial schedule (Doc. # 193) is vacated;
2. The settlement conference scheduled for May 21, 2013 (Doc. #195) is taken off calendar;
3. The parties will engage in a settlement conference or private mediation within thirty (30) days after the Court issues a ruling on the Renewed Motion for Class Certification;
4. The parties must file a joint status report and/or proposed revised pretrial schedule 45 days after the Court issues a ruling on the Renewed Motion for Class Certification;
5. The case, including all discovery except as provided below, is stayed until and through 45 days after the Court issues a ruling on the Renewed Motion for Class Certification; and
6. Discovery that has already been served will not be stayed, including discovery pursuant to Judge Beeler's discovery Orders in this case. The Parties will not serve new sets of discovery requests or note percipient witness depositions during the pendency of the requested stay.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs and Aurora, upon consent of the Court, that:

The case is PARTIALLY STAYED as set forth above and the pretrial schedule MODIFIED as set forth herein.

Date: April 26, 2013

ARNOLD & PORTER LLP

By: /s/ John R. Danos
John R. Danos

JOHN R. DANOS (CA SBN 210964)
john.danos@aporter.com
ARNOLD & PORTER LLP

777 South Figueroa, 44th Floor
Los Angeles, CA 90017-5844
Telephone: 1.213.243.4000
Facsimile: 1.213.243.4999

DAVID B. BERGMAN (*pro hac vice*)
david.bergman@aporter.com
IAN S. HOFFMAN (*pro hac vice*)
ian.hoffman@aporter.com
ARNOLD & PORTER LLP
555 Twelfth Street, NW
Washington, DC 20004-1206
Telephone: 1 202.942.5000
Facsimile: 1.202.942.5999

Attorneys for Defendant
Aurora Loan Services, LLC

Date: April 26, 2013

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Thomas E. Loeser
Thomas E. Loeser

Steve W. Berman (*Pro Hac Vice*)
Thomas E. Loeser (202724)
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
(206) 623-7292
steve@hbsslaw.com
toml@hbsslaw.com

Andrew Oldham (144287)
LAW OFFICE OF ANDREW OLDHAM
901 Campisi Way, Suite 248
Campbell, CA 95008
Telephone: (888) 842-4930

T. Christopher Tuck
RICHARDSON, PATRICK, WESTBROOK &
BRICKMAN, LLC
1037 Chuck Dawley Blvd., Bldg A
PO Box 1007
Mt. Pleasant, SC 29464
(843) 727-6515
ctuck@rpwb.com


Ali Abtahi (224688)
Idene Saam (258741)
ABTAHI LAW FIRM

1528 S. El Camino Real, Suite 204
San Mateo, CA 94402
Tel: (650) 341-1300
Fax: (650) 341-1303
aabtahi@abtahilaw.com
isaam@abtahilaw.com

Attorneys for Plaintiffs and the proposed Class

IT IS SO ORDERED.

Dated 5/29, 2013


The Honorable Sandra B. Armstrong
United States District Judge

GENERAL ORDER 45 ATTESTATION

In accordance with General Order 45, concurrence in the filing of this document has been obtained from each of the signatories and I shall maintain records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request by a party.

Dated: April 26, 2013

ARNOLD & PORTER LLP

By: /s/ John R. Danos
John R. Danos

Attorneys for Defendant
AURORA LOAN SERVICES LLC